

SN 09/453,364

Bob, Drew,

3) Search Query:

The US text search attached to the file seems to be from another case as it is directed to on-line advertising, points and overdraft protection.

5) Other Problems:

Re. 101, claims 1, 13 and 25 are not in the technological arts. Regarding claim 26, some assumptions need to be made for it to be considered statutory. We would need to assume that the recited storage medium is "computer readable" and that the program signals are "computer executable" software. You can either put this interpretation on the record or include 26 in the 101 to make applicant make it clear that it is both computer readable and computer executable.


Re. "broad claims", it appears that it is known to hold stock options in trusts (see attached Dialog articles "Gifting Compensatory Stock Options" and "The Perfect Gift? (Stock Option as Gift to Heirs)"). That the gift recipients or heirs get to exercise the stock options seems to indicate that the trust paid out in stock options. While the trusts described in these articles are not GRATs, GRATs are a known trust so it would be a matter of using 103. Geoffrey Akers in 3624 is a good source of information on this subject matter.

Miscellaneous:

- Paragraph 3 of the action accompanying the notice of allowance is a good point.
- Minor typo – SN on action should be 453364 vs. 452364.
- Further re. claim 26, it is not clear exactly what the scope of this is. It seems safe to say for example that the program signals themselves are not "funding" the GRAT with assets. Thus, it comes down to what "causing the computer to provide for" the various steps really means. Since we are in an article of manufacture claim, the only steps that the article can really "provide" are the ones actually performed by the computer. Computer steps within financial arrangements are not real clear. Providing for establishing a GRAT...what role does the computer literally play in this? Is it merely the computer printing up a GRAT contract for people to sign? Providing for setting a term for the GRAT...is this leaving a blank field for entry of a number on the

contract? In other words, the role of the computer and thus the extent of the program to run it, could be very minimal in the overall method and substantially different and separate from the financial dealings or arrangements that are asserted as making the method claims allowable. Try a 112, 2nd paragraph and/or art rejection if available based on a minimal interpretation of the computer's role in the process.

Any questions, please stop by.


Bob Weinhardt
CPK5 7A13
12/5/02